

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

ERIC PRESCOTT KAY (1)

NO. 4:20-CR-269-Y

Filed Under Seal

Sealed and Ex Parte Order Granting Motion for Compulsion Order

Having considered the United States' Motion for Compulsion Order (doc. 29), under Title 18, U.S.C. § 6003, and having found it meritorious, the Court concludes that the motion should be and it is hereby GRANTED. The Court hereby finds as follows:

1. That Matthew Harvey (hereinafter, "Harvey") will be called to testify or provide other information in the trial in this matter;
2. That through his counsel, Harvey has stated that he will refuse to testify or provide other information on the basis of his privilege against self-incrimination;
3. That in the judgment of the United States attorney, the testimony or other information from Harvey is or may be necessary to the public interest; and
4. That this motion has been made with the approval of Jennifer A. H. Hodge, deputy assistant attorney general in charge of the Criminal Division of the United States Department of Justice, under the authority vested in her by Title 18, United States Code, Section 6003, and 28 C.F.R. § 0.175.


Therefore, under Title 18, United States Code, Section 6002, Harvey is ordered to give testimony or provide other information that he stated he would not give or provide on the basis of his privilege against self-incrimination as to all matters about which he may be questioned in the trial in this matter.

Further, the government is ordered to provide a copy of this order to counsel for Harvey prior to his trial testimony; however, counsel for Harvey is ordered not to share this order with anyone other than Harvey.

The government may provide a copy of this order to counsel for defendant Eric Kay prior to trial; however, counsel for Kay may share this order only with Kay and do so consistently with the protective order issued in this case.

In accordance with the provisions of Title 18, United States Code, Section 6002, Harvey shall be forever immune from the use of his testimony against him in any federal or state prosecution, penalty, or forfeiture; but he shall not be exempt from prosecution for perjury, giving a false statement, or contempt committed while giving testimony or producing evidence under this order.

SIGNED August 4, 2021.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE